

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

April 15, 2010



Easement Release ER10-01: Fusion Investment Group, Ltd.

CASE DESCRIPTION: a request for release of an 8-foot wide and 879.8-foot long sewer line easement

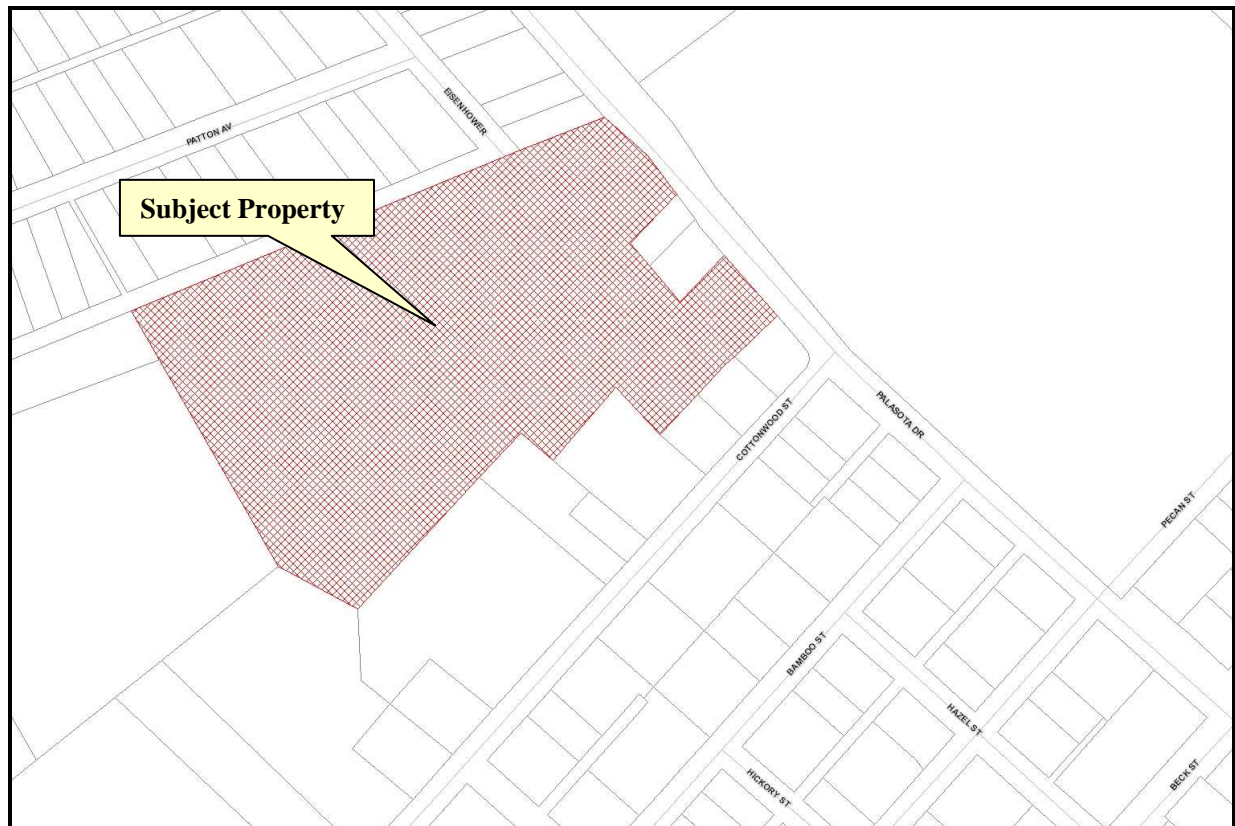
LOCATION: extending generally southwest for a distance of 879.8 feet from Palasota Drive, approximately 380 feet northwest from its intersection with Cottonwood Street, on 10.06 acres of vacant land out of Stephen F. Austin League No.9, A-62 in Bryan, Brazos County, Texas

APPLICANT(S): Fusion Investment Group, Ltd.

AGENT: Galindo Engineers and Planners, Inc.

STAFF CONTACT: Michelle Audenaert, Economic Development Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the release of this sewer line easement, as requested.



BACKGROUND:

An 8-foot wide sewer line easement extends through the subject property for a distance of 879.8 feet, as shown on the attached survey. The easement was first recorded with the Brazos County Clerk in 1950. No utilities are currently located in the easement area, as a new sewer line has been constructed through this property as part of a current City of Bryan capital improvement project ("Commerce Street Sewer project"). The new 12-inch wide public sewer line extending through the property is located outside this easement area.

The portion of the subject property not lying in the floodplain was rezoned on February 23, 2010 from Mixed Use Residential District (MU-1) to Multiple-Family District (MF) with a positive recommendation from the Planning and Zoning Commission. A preliminary plan for a new 21-lot residential subdivision on the now MF-zoned portion of this property (proposed Bridgewater Meadows Subdivision) has been submitted for review by the Site Development Review Committee. The aforementioned new 12-inch sewer line has been aligned with a new cul-de-sac street proposed to extend onto this property from Palasota Drive. The preliminary plan assumes that the now obsolete sewer line easement will be released.

Only Bryan's City Council is empowered to authorize release of easements that were dedicated by a legal instrument other than a subdivision plat. The Planning and Zoning Commission is asked to make a recommendation to the City Council regarding this easement release request.

ANALYSIS AND RECOMMENDATION:

No public utilities are currently located in the easement area. None of the franchised utility services has indicated a need or desire for possible future use of the easement under consideration.

The Site Development Review Committee and staff recommend **approving** the release of this sewer line easement, as requested.